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| REDACTED | Area G-G  OAG  Victoria Quay  Edinburgh EH6 6QQ  Date 28/10/16 |

REDACTED

**Freedom of Information Request**

Thank you for your email of 30 September 2016 requesting information under the Freedom of Information Act 2000 (FOIA).  You asked:

I am writing under the Freedom of Information Act 2000 to request information about breaches of the Data Protection Act 1998 in your organisation, specifically I am requesting the following information: Does your Department pro-actively report breaches of Data Protection Act 1998 to the Information Commissioner’s Office?

* 1. If the answer is yes, please provide the number of breaches that have been reported.
  2. Does your Department have an internal procedure for responding to breaches of the Data Protection Act 1998?
  3. If the answer is yes please provide the number of breaches that have occurred.
  4. I further request that your responses to Questions 1 and 2 are broken down as follows:
  5. The number of employees that have been disciplined internally for breaches of the Data Protection Act 1998.
  6. The number of employees that have resigned during disciplinary procedures for breaches of the Data Protection Act 1998.
  7. The number of instances where a breach has not led to any disciplinary action.
  8. The number of employees that have had their employment terminated for breaches of the Data Protection Act 1998.
  9. The number of employees that have been convicted for breaches of Data Protection Act 1998.

In each case, I request that you provide a list of the offences committed by the individual(s) in question, for example "Accessed personal information for personal interest" or "Inappropriately shared information with a third party". I request that the time period covered is 1st June 2011-1st June 2016. I further request that the information be displayed in the following format; I have provided the following examples for clarification:

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| **Outline of what was lost/reported missing/accessed** | **Data contained** | **Action taken criminal/ discipline** | **Reported to ICO?** | **Additional responses to rectify loss** |
| **Example**: Confidential data. | Confidential data relating to a family member. | First written warning. | Yes | Additional training given. |
| **Example**: USB stolen. | Personal sensitive data. | Verbal warning | No | Theft reported to Police. |

 My preferred format to receive this information is electronically, but if that is not possible I will accept hard copies. I understand that under the Freedom of Information Act I am entitled to a response within twenty working days.

Having completed our search for information, I can advise that there have been no breaches of the Data Protection Act 1998 in the Office of the Advocate General either within the period 1st June 2011-1st June 2016 or outwith that period. The office follows the Cabinet Office Security Policy Framework.

You may, if dissatisfied with the treatment of your request, ask the Office of the Advocate General to conduct an internal review of its decision.  The internal review will be conducted by someone other than the person who took the initial decision.  Requests for internal review should be addressed to the Information Officer, Office the Advocate General, Victoria Quay, Edinburgh, EH6 6QQ.

If following the internal review you remain dissatisfied with the treatment of your request by OAG then you may take your complaint to the Information Commissioner, whose address is Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.  Details of the complaints procedure can be found here:

<http://www.ico.gov.uk/complaints/freedom_of_information.aspx>

Yours sincerely

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